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9 and Susan Armstrong*

10 **UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12 (Eastern Division)**

13 DAN ARMSTRONG and SUSAN  
14 ARMSTRONG,

15 Plaintiffs,

16 v.

17 ZIMMER HOLDINGS, INC., ZIMMER,  
18 INC., and ZIMMER US, INC.,  
19 Defendants.

20 **CASE NO. EDCV11-906 VAP  
21 (DTBx)**

22 **NOTICE OF PETITION TO THE  
23 JUDICIAL PANEL ON  
24 MULTIDISTRICT LITIGATION  
25 (Local Rule 83-1.4.3)**

26 Pursuant to Central District Local Rule 83-1.4.3, Notice of Petition to the  
27 Judicial Panel on Multidistrict Litigation – Duty of Counsel, this Court is hereby  
28 advised that this action is related to an action currently pending in the U.S.D.C.,  
District of New Jersey, Master Docket No. 09-4414-SDW (MCAX); MDL No.  
2158, entitled *In Re Durom Hip Cup Products Liability Litigation*, for purposes of  
coordinated or consolidated pretrial proceedings, pursuant to 28 U.S.C. § 1407.

29 Pursuant to Rule 7.1 of the *Rules of Procedure of the United States Judicial  
30 Panel on Multidistrict Litigation*, this action has been transferred to the above-  
31 named Court and assigned to the Honorable Susan D. Wingenton.

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1 A copy of the Conditional Transfer Order (CTO-12), filed by the Clerk of  
2 the Panel on June 27, 2011, is attached hereto.  
3

4 Dated: June 28, 2011

5 /s/ John P. Dorigan  
6 LAW OFFICE OF JOHN P. DORIGAN,  
7 *Attorney for Plaintiffs Dan Armstrong*  
8 *and Susan Armstrong*

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

IN RE: ZIMMER DUROM HIP CUP PRODUCTS  
LIABILITY LITIGATION

MDL No. 2158

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO-12)**

On June 9, 2010, the Panel transferred 11 civil action(s) to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 717 F.Supp.2d 1376 (J.P.M.L. 2010). Since that time, 56 additional action(s) have been transferred to the District of New Jersey. With the consent of that court, all such actions have been assigned to the Honorable Susan D Wigenton.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Wigenton.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of New Jersey for the reasons stated in the order of June 9, 2010, and, with the consent of that court, assigned to the Honorable Susan D Wigenton.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: ZIMMER DUROM HIP CUP PRODUCTS  
LIABILITY LITIGATION**

MDL No. 2158

**SCHEDULE CTO-12 – TAG-ALONG ACTIONS**

**DIST    DIV.    C.A.NO.    CASE CAPTION**

**CALIFORNIA CENTRAL**

|     |   |          |   |
|-----|---|----------|---|
| CAC | 2 | 11-04199 | David R Prince v. Zimmer Inc  |
| CAC | 5 | 11-00839 | Dimitri T. Burton v. County of Riverside Sheriff   Vacated 06/17/2011<br>Department et al |
| CAC | 5 | 11-00906 | Dan Armstrong et al v. Zimmer Holdings Inc et al  |

**FLORIDA MIDDLE**

|     |   |          |                            |
|-----|---|----------|----------------------------|
| FLM | 8 | 11-01171 | Mack et al v. Zimmer, Inc. |
|-----|---|----------|----------------------------|

**OHIO SOUTHERN**

|     |   |          |  |
|-----|---|----------|--|
| OHS | 2 | 11-00338 | Ricciardo et al v. Zimmer Holdings, Inc. |
| OHS | 3 | 11-00187 | Hartman v. Zimmer Holdings, Inc. et al   |

**TEXAS SOUTHERN**

|     |   |          |                                   |
|-----|---|----------|-----------------------------------|
| TXS | 4 | 11-01610 | Young et al v. Zimmer, Inc. et al |
|-----|---|----------|-----------------------------------|